

Agriculture & Ecology Committee

HB 1876

Brief Description: *Regarding public water systems.*

Sponsors: *Representatives Linville, G. Chandler, Grant, Doumit, Gombosky, Lovick, O'Brien, Hunt, Wood, Edmonds, Jackley and Santos.*

Brief Summary of Bill

- *Requires the Department of Health (DOH) annually to calculate the rates of withdrawal per service connection for public water systems with more than 1000 service connections and makes the averages of these in a geographic area the water withdrawal target rates for the group.*
- *Requires the 6 year water system plans submitted by such public water systems to identify how the target rates will be met and, once approved, does not allow the DOH to approve the subsequent plans of a system unless the rate in the approved plan has been met.*
- *Allows interties to be used to acquire water, no longer prohibits interties from including the development of new sources of supply to meet future demands, and, with certain exceptions, prohibits an intertie from being used to deliver a primary or secondary supply of water on a temporary basis.*

Hearing Date: *2/16/01*

Staff: *Kenneth Hirst (786-7105).*

Background:

Water System Plans. *The State Board of Health has the authority to adopt rules for public drinking water, including those regarding the design, construction, operation, and maintenance of public water systems and planning for such systems. (RCW 43.20.050(2)(a).) Rules adopted under this authority require certain public water systems to submit system plans to the DOH for approval at least every 6 years and provide that*

DOH's approval of such a plan is for a 6 year period. (WAC 246-290-100.) State law directs the DOH to develop procedures and guidelines regarding water use efficiency which are to be included in the development and approval of cost-efficient water system plans. (RCW 43.20.230.)

Interties. Interties are connections between public water systems that allow an exchange or delivery of water between them. Interties were expressly acknowledged by statute in 1991, and new interties were authorized under certain circumstances. (Section 1, Chapter 350, Laws of 1991.) Interties include such connections between systems for the delivery water that serve as primary or secondary sources of supply, but do not include the development of new sources of supply to meet future demand. (RCW 90.03.383(2)(a).) The exchange or delivery of water between public water systems made through an intertie must be within the established instantaneous and annual withdrawal rates specified in their existing water rights. (RCW 90.03.383(2)(a) and (4).)

Summary of Bill:

Water Withdrawal Target Rates. Each year, the DOH must determine the annual average amount of water withdrawn per service connection by each public water system with 1000 or more service connections. The DOH must group the systems by geographic areas with similar climatological characteristics and determine the annual average amount of water withdrawn per service connection in each geographic group. This average for the public water systems in a geographic group constitutes the water withdrawal target rate for the group. The DOH must publish these target rates annually. (Section 7(1)(a).)

Under certain circumstances, the Secretary of Health may adjust the annual average calculated for a public water system if the Secretary determines that the use of water provided by the system is dominated by one or more very large commercial or industrial users. The Secretary must adopt rules identifying the circumstances under which such adjustments may be made and how they may be made. (Section 1(2).)

Target Rates and Plan Approvals. Each water system plan of a public water system with 1000 or more connections submitted to the DOH for approval must be for a 6-year planning period. Beginning January 1, 2004, each plan submitted by a water system with 1000 or more service connections must identify how the annual average amount of water withdrawn per service connection by the system will meet the water withdrawal target rate for the system's geographic group for either of the 2 calendar years preceding the system's submission of the plan for approval. The DOH cannot approve such a plan unless it identifies how this requirement will be met during the 6 year life of the plan and cannot approve a subsequent plan for the system until the target rate of the approved plan has been met by the system. (Section 1(1)(b).)

The DOH must provide enhanced technical assistance to public water systems that are developing water system plans to meet water withdrawal target rates. The objective of the enhanced support is to assist the systems in identifying and evaluating tools and techniques that might be used to meet the target rates. (Section 1(3).)

Interties. Interties may be used to acquire water, not just exchange or deliver water, and

they are no longer expressly prohibited from including the development of new sources of supply to meet future demands. An intertie cannot be used to deliver a primary or secondary supply of water to a receiving system on a temporary basis. This prohibition applies unless the terms of the intertie agreement specify the source of the water that will be used to replace the temporarily delivered water and provide that replacement water will be available for delivery before delivery under the agreement is terminated. If such a supply of water is currently delivered on a temporary basis and the intertie agreement does not contain such a provision for replacement water, the delivery of the water cannot be terminated until the agreement is modified to establish these provisions and replacement water is available for delivery to or use by the receiving system. (Section 2.)

Appropriation: None.

Fiscal Note: Requested on February 11, 2001.

Effective Date: Ninety days after adjournment of session in which bill is passed.